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## NOTICE OF ALLOWANCE AND FEE(S) DUE

21999 7590 09/07/2004  
KIRTON AND MCCONKIE  
1800 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
P O BOX 45120  
SALT LAKE CITY, UT 84145-0120

EXAMINER	
MEINECKE DIAZ, SUSANNA M	
ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 09/07/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,380	12/28/2000	James B. Loveland	7927.132	6359

TITLE OF INVENTION: VIRTUAL HOME DATA REPOSITORY AND DIRECTORY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	12/07/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	YES	\$665	\$300	\$965	12/07/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
MEINECKE DIAZ, SUSANNA M	3623	705-007000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

## 4a. The following fee(s) are enclosed:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

## 4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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EXAMINER
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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 285 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 285 day(s).

if a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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## Notice of Fee Increase on October 1, 2004

if a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2004, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" because an increase in fees effective on October 1, 2004 is anticipated. See Revision of Patent Fees for Fiscal Year 2005; Proposed Rule, 69 Fed. Reg. 25861, 25863, 25864 (May 10, 2004).

The current fee schedule is accessible from WEB site (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2004 (or mailed with a certificate of mailing on or after October 1, 2004), the issue fee paid should be the fee that is required at the time the fee is paid. See Manual of Patent Examining Procedure (MPEP), Section 1306 (Eighth Edition, Rev. 2, May 2004). If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See MPEP Section 1308.01.

Effective October 1, 2004, 37 CFR 1.18 is proposed to be amended by revising paragraphs (a) through (c) to read as set forth below. As stated above, the final fee may be a different amount, and applicant should check the WEB site given above when paying the fee.

### Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))..... \$670.00

By other than a small entity..... \$1,340.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))..... \$245.00

By other than a small entity..... \$490.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))..... \$325.00

By other than a small entity..... \$650.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

# Notice of Allowability

Application No.

09/750,380

Examiner

Susanna M. Diaz

Applicant(s)

LOVELAND, JAMES B.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's Amendment, authorized by Michael Krieger on July 12, 2004.
2. ☒ The allowed claim(s) is/are 1,2,29 and 34-37.
3. ☒ The drawings filed on 06 April 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Susanna Diaz*  
**SUSANNA M. DIAZ**  
**PRIMARY EXAMINER**

*A.U. 3623*



### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Krieger on July 12, 2004.

The application has been amended as follows:

*Please see "Examiner's Amendment" attached at the end of the instant Office action.*

### ***Reasons for Allowance***

2. Claims 1, 2, 29, and 34-37 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record are DeWolf et al. (US 2002/0032626 A1), Brown (U.S. Patent No. 5,794,216), and Piper ("A New Spin on Facility Management"). (Please note that the filing date printed on the DeWolf publication is incorrect. The actual filing date granted to DeWolf is December 18, 2000, as verified by the Examiner.) DeWolf discloses an electronic model and data storage system for storing, maintaining and retrieving information relating to an architectural structure, including blueprints.

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DeWolf provides each user with specific access rights that limit what type of data each user can review. The data may be accessed in order to assist in completion of constructions projects, insurance claims, etc. However, DeWolf does not teach or suggest that this data is accessed by a user selecting links located on a three dimensional scaled electronic model of the current state of a specific structure such that specific construction details and materials are directly linked to selection of the actual location of the structure. Brown teaches the display of an electronic model of a house which allows a user to select icons corresponding to different aspects of the house, such as floor plans, alternate views, and textual descriptions of the house; however, these icons are not physically selected by a user selecting links located on a three dimensional scaled electronic model of the current state of a specific structure such that specific construction details and materials are directly linked to selection of the actual location of the structure. Brown's icons are merely provided on the same display along with a textual description or picture of a room or the outside of the house. The icons do not serve as direct links when selecting an actual location of the depicted three dimensional scaled electronic model of the current state of the specific structure. Piper teaches the step of "linking the database to the building drawings [to allow] users to quickly look up information on all hazardous materials in a given portion of a building" (¶ 12); however, Piper does not teach that each user is granted specific access rights or that the data includes all of the specific types of data recited in the claimed invention and used to perform bids.

By allowing a user to access data by selecting links located on a three dimensional scaled electronic model of the current state of a structure such that specific construction details and materials are directly linked to selection of the actual location on the structure, the user's job is facilitated through the ease with which the three dimensional model provides direct access to needed data. The three dimensional model and links made accessible therein more rapidly guide a user in obtaining information that is both more accurate (e.g., based on the structure's contents, digital photographs, and construction materials) and presented in a more intuitively organized fashion. In other words, a user who solely desires information regarding the construction of a first floor bathroom can quickly see the bathroom on the model and click on it to be linked to the necessary information without having to guess how to search for the information and drill down into various databases accordingly. In summary, the prior art (either alone or in combination) fails to teach or suggest the combination of providing users with a centralized electronic model and data storage system that grants users access to information limited to their respective access rights, providing a graphical user interface featuring a dimensionally accurate electronic three dimensional scaled model of the current state of a structure, providing electronic links integrated into and displayed on said dimensionally accurate model to provide selective access to information pertaining to one of the structure's contents, construction materials, and digital photographs, allowing a user to select with an input device a location on the electronic model of the structure corresponding to an actual surface on the structure to access data regarding the contents (including warranty and product



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information) and construction materials of the selected portion of said structure, and using the data regarding said structure's contents (including warranty and product information) and construction materials to formulate a bid that is conveyed to the structure. This combination of limitations is recited in claims 1, 2, 29, and 34-37; therefore, claims 1, 2, 29, and 34-37 are deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Matsuo et al. (JP 11-96217 A) -- Discloses a personal asset management system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

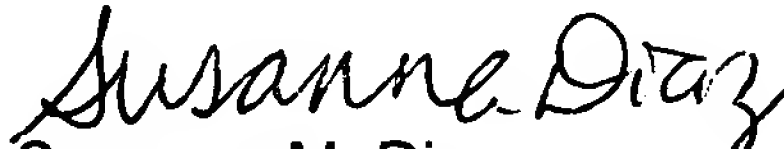
**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

or faxed to:

**(703) 872-9306** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703)746-7048** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7<sup>th</sup> floor receptionist.

  
Susanna M. Diaz  
Primary Examiner  
Art Unit 3623  
July 12, 2004

# "EXAMINER'S AMENDMENT"

JUL. 12. 2004 10:07AM

KIRTON & MCCONKIE

NO. 054

P. 3/9

## AMENDMENTS TO THE CLAIMS

Please note and consider the claims in the application as identified below, with currently amended claims comprising markings in the form of a strikethrough for deletions and underlining for additions.

1. (currently amended) An electronic model and data storage system for storing, maintaining and retrieving information relating to the contents of an architectural structure, said system comprising:

a computer device comprising:

a processor; and

a memory device storing executable and associated operational data structures for processing by the processor;

a graphical user interface featuring a dimensionally accurate electronic 3-dimensional scaled model of the current state of a structure;

~~with links to data regarding the inventory and~~

~~a memory device storing executable and associated operational data structures for processing by the processor;~~

data structures having electronic links integrated into and displayed on as said dimensionally accurate model ~~graphical user interface~~ to provide selective access to information pertaining to one of the structure's contents, construction materials, and digital photographs, by allowing a user to select with an input device a location on the electronic model of the structure corresponding to an actual surface on the structure depicted on ~~the graphical user interface and to~~ access data regarding the contents and

~~construction materials of the selected portion of said structure; link to the~~  
~~corresponding data structures;~~  
~~the data regarding the contents of said structure, further comprising~~  
warranty and product information including at least one of dates; ~~the date of~~  
installation, terms ~~term~~ of warranty; coverage and conditions, and maintenance  
requirements;

~~an event timing program to monitor maintenance intervals and warn an~~  
~~owner of a structure prior to the expiration of the recommended maintenance~~  
~~interval that maintenance is due;~~

~~communication means to contact potential contractors after receiving~~  
~~authorization from the structure owner so that the contractor may access for~~  
~~accessing data regarding said structure's contents and construction materials the~~  
~~maintenance and access warranty information to formulate, bid, and bid and~~  
convey a ~~that~~ bid back to a structure ~~the owners~~; and

wherein said data corresponding to the contents of said structure  
~~information and communication~~ is accessible via a computer network by a user  
according to access rights corresponding to said user.

2. (currently amended) The system of claim 1, wherein warranty and product  
information further comprises at least one of: cleaning method information methods, installer  
notes and ~~an~~ inventory data.

3. (canceled)

4. (canceled)

5. (canceled)

6. (canceled)

7. (canceled)

8. (canceled)

9. (canceled)

10. (canceled)

11. (canceled)

12. (canceled)

13. (canceled)

14. (canceled)

15. (canceled)

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

24. (canceled)

25. (canceled)

26. (canceled)

27. (canceled)



28. (canceled)

29. (currently amended) The system ~~computer readable data transmission signal~~ of claim 1, wherein said computer network is a global information network.

30. (canceled)

31. (canceled)

32. (canceled)

33. (cancel)

34. (new) The system of claim 1, wherein the data corresponding to the contents of said structure further comprises information relating to insurance coverage corresponding to at least one of said structure and said contents of said structure.

35. (new) The system of claim 1, wherein the data corresponding to the contents of said structure is represented as textual information on said electronic model.

36. (new) The system of claim 1 wherein said system is interactive.

37. (new) The system of claim 1, further comprising:

an event timing module to monitor maintenance intervals corresponding to the contents of said structure and warn a structure owner prior to the expiration of the recommended maintenance interval.